COMMONWEALTH OF KENTUCKY

BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF KENERGY)
CORP. FOR A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY FOR THE)
CONSTRUCTION OF A HIGH-SPEED FIBER)
NETWORK AND FOR APPROVAL OF THE) CASE NO.
LEASING OF THE NETWORK'S EXCESS) 2021-00365
CAPACITY TO AN AFFILIATE TO BE)
ENGAGED IN THE PROVISION OF)
BROADBAND SERVICE TO UNSERVED AND)
UNDERSERVED HOUSEHOLDS AND)
BUSINESSES OF THE COMMONWEALTH)

NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on November 15, 2021 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording;
- A written log listing, inter alia, the date and time of where each witness' testimony begins and ends on the digital video recording of the evidentiary hearing conducted on November 15, 2021.

A copy of this Notice, the certification of the digital video record, and hearing log have been served upon all persons listed at the end of this Notice. Parties desiring to view the digital video recording of the hearing may do so at https://youtu.be/rBF8XifV0UA.

Parties wishing an annotated digital video recording may submit a written request by electronic mail to pscfilings@ky.gov. A minimal fee will be assessed for a copy of this recording.

Done at Frankfort, Kentucky, this 23rd day of November 2021.

Linda C. Bridwell

Executive Director

Public Service Commission of Kentucky

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ELECTRONIC APPLICATION OF KENERGY CORP.)
FOR A CERTIFICATE OF PUBLIC CONVENIENCE)
AND NECESSITY FOR THE CONSTRUCTION OF A)
HIGH-SPEED FIBER NETWORK AND FOR)
APPROVAL OF THE LEASING OF THE NETWORK'S)
EXCESS CAPACITY TO AN AFFILIATE TO BE)
ENGAGED IN THE PROVISION OF BROADBAND)
SERVICE TO UNSERVED AND UNDERSERVED)
HOUSEHOLDS AND BUSINESSES OF THE)
COMMONWEALTH)

CASE NO. 2021-00365

CERTIFICATION

- I, Candace H. Sacre, hereby certify that:
- 1. The attached flash drive contains a digital recording of the Formal Hearing conducted in the above-styled proceeding on November 15, 2021. The Formal Hearing Log is included with the recording on November 15, 2021;
 - 2. I am responsible for the preparation of the digital recording;
- 3. The digital recording accurately and correctly depicts the Formal Hearing of November 15, 2021; and
- 4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of November 15, 2021, and the time at which each occurred.

Signed this 17th day of November, 2021.

Candace H. Sacre

Administrative Specialist III

Stephanie Schweighardt

Notary Public State at Large ID#: 614400 Commission Expires: January 14, 2023



Session Report - Detail

2021-00365 15Nov2021

Kenergy Corp. (Kenergy)

Date:	Туре:	Location:	Department:
11/15/2021	Public Hearing\Public Comments	Hearing Room 1	Hearing Room 1 (HR 1)

Witness: Jason Keller

Judge: Marianne Butler; Kent Chandler; Amy Cubbage

Clerk: Candace Sacre

Event Time	Log Event	
9:06:03 AM	Session Started	
9:06:15 AM	Chairman Chandler	
	Note: Sacre, Candace	Good morning. On the record in Case No. 2021-00365, Electronic Application of Kenergy Corp. for a Certificate of Public Convenience and Necessity for the Construction of a High-Speed Fiber Network and for Approval of the Leasing of the Network's Excess Capacity to an Affiliate to be Engaged in the Provision of Broadband Service to Unserved and Underserved Households and Businesses in the Commonwealth.
9:06:41 AM	Chairman Chandler	
	Note: Sacre, Candace	My name is Kent Chandler. I am Chairman of the Kentucky Public Service Commission, and I will be presiding over the hearing today. Joining me today via videoconferencing are Vice Chairman Amy Cubbage and Commissioner Marianne Butler.
9:06:58 AM	Chairman Chandler	
	Note: Sacre, Candace	COVID and videoconferencing recommendations. (Click on link for further comments.)
9:08:01 AM	Chairman Chandler	
	Note: Sacre, Candace	The hearing today is for the purpose of taking testimony in support of Kentucky Broadband and Cable Association's motion to intervene, including testimony on KBCA's special interest that is not otherwise adequately represented, or the issues and facts that KBCA will present that will assist the Commission in fully considering this matter.
9:08:22 AM	Chairman Chandler	
	Note: Sacre, Candace	Entry of appearance. (Click on link for further comments.)
9:08:40 AM	Atty Osterloh KBCA	
	Note: Sacre, Candace	Todd Osterloh, along with me Jim Gardner, along with us today primary witness Jason Keller, also Michael Chowaniec potential witness.
9:09:09 AM	Atty Hopgood Kenergy	
	Note: Sacre, Candace	Chris Hopgood, with me Jeff Hohn.
9:09:29 AM	Chairman Chandler	
	Note: Sacre, Candace	AG party to case, do not see.
9:09:43 AM	Gen Counsel Vinsel PSC	
	Note: Sacre, Candace	Nancy Vinsel.
9:09:55 AM	Chairman Chandler	
	Note: Sacre, Candace	Allow KBCA introduce evidence and witnesses. (Click on link for further comments.)
9:10:45 AM	Atty Osterloh KBCA	•
	Note: Sacre, Candace	First witness, Jason Keller.
9:10:54 AM	Chairman Chandler	
	Note: Sacre, Candace	Witness is sworn.

9:1	l1:02 AM	Chairman Chandler - witness Kelle	
		Note: Sacre, Candace	Examination. Name and address?
9:1	L1:17 AM	Atty Osterloh KBCA - witness Kelle Note: Sacre, Candace	er Direct Examination. Work for Charter Communications?
0.1	11.71 AM		
9.1	11:21 AM	Atty Osterloh KBCA - witness Kelle	
0.1	11.27 AM	Note: Sacre, Candace	Current position?
9:1	L1:27 AM	Atty Osterloh KBCA - witness Kelle	
0.1	11.22 AM	Note: Sacre, Candace	How long in that position?
9:1	L1:33 AM	Atty Osterloh KBCA - witness Kelle	
	14 44 414	Note: Sacre, Candace	Before that, position?
9:1	L1:44 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	How affiliated with KBCA?
9:1	L1:54 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	What is business address?
9:1	12:00 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	Tell Commission what KBCA is?
9:1	L2:14 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	Describe member entities?
9:1	12:36 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	How many customers KBCA members provide service to?
9:1	L2:59 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	How long interacting legislature broadband/cable issues?
9:1	13:06 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	That been in capacity with KBCA?
9:1	L3:16 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	Charter member?
9:1	L3:22 AM	Atty Osterloh KBCA - witness Kelle	
	12.40.414	Note: Sacre, Candace	Understanding of request in this case?
9:1	L3:49 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	Understanding General Assembly authorized rural electric co-ops provide broadband?
9:1	L4:01 AM	Atty Osterloh KBCA - witness Kelle	er
		Note: Sacre, Candace	House Bill 320?
9:1	L4:20 AM	Atty Osterloh KBCA - witness Kelle	er
		Note: Sacre, Candace	KBCA involved in policy discussions related deployment broadband
			to underserved and unserved areas?
9:1	L5:04 AM	Atty Osterloh KBCA - witness Kelle	er
		Note: Sacre, Candace	Provide Commission with background in discussions related to HB 320?
9:1	L6:03 AM	Atty Osterloh KBCA - witness Kelle	
		Note: Sacre, Candace	Download and upload speeds?
9:1	L6:31 AM	Atty Osterloh KBCA - witness Kelle	·
• • •		Note: Sacre, Candace	Legislative leaders affirm understanding of bill?
9:1	L7:22 AM	Atty Osterloh KBCA - witness Kelle	<u> </u>
		Note: Sacre, Candace	Why does KBCA seek to intervene in case?
9:1	L7:51 AM	Atty Osterloh KBCA - witness Kelle	•
		Note: Sacre, Candace	Mentioned providing information to Commission, what kind can
		,	provide?
9:1	18:17 AM	Atty Osterloh KBCA - witness Kelle	•
		Note: Sacre, Candace	That information available from other source?
9:1	19:37 AM	Atty Osterloh KBCA - witness Kelle	er
		Note: Sacre, Candace	Correct state government establishing protocols resolve questions
			whether broadband service available certain areas?

9:20:31 AM	Atty Osterloh KBCA - witness Keller
	Note: Sacre, Candace What type of information KBCA have?
9:20:51 AM	Atty Osterloh KBCA - witness Keller
0.04.05.44	Note: Sacre, Candace Describe issues KBCA interested in developing?
9:21:25 AM	Atty Osterloh KBCA - witness Keller
	Note: Sacre, Candace In motion, also mentioned KRS 278.2201, elaborate why an
9:22:09 AM	important issue to KBCA? Atty Osterloh KBCA - witness Keller
9.22.09 AIN	Note: Sacre, Candace One of prongs to grant intervention, party not disrupt proceeding,
	intend do that?
9:22:30 AM	Atty Osterloh KBCA - witness Keller
	Note: Sacre, Candace Submitted filings and data requests?
9:22:42 AM	Atty Osterloh KBCA - witness Keller
	Note: Sacre, Candace Response to motion, Kenergy suggested association competitor to
	Kenergy, accurate?
9:23:56 AM	Chairman Chandler - witness Keller
	Note: Sacre, Candace Examination. Saying KBCA not intend extending service to unserved
	and underserved areas?
9:24:23 AM	Chairman Chandler - witness Keller
	Note: Sacre, Candace Not saying KBCA members intend only serve customers currently serve, expectation intend extending service into
	unserved/underserved areas?
9:25:56 AM	Chairman Chandler
31231307111	Note: Sacre, Candace Questions?
9:26:00 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Cross Examination. Group not include entity provides electric
	service?
9:26:11 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Not profess expertise in providing electric service?
9:26:23 AM	Atty Hopgood Kenergy - witness Keller
0-26-45 AM	Note: Sacre, Candace Not helpful in advising Commission on electric service?
9:26:45 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Identified chief regulated issue in case whether Kenergy build smart grid network for electric needs, aware of that?
9:27:14 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Regulated issue construction need for smart grid network, CPCN part
	of this, agree?
9:27:44 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Providing broadband unregulated in Commonwealth?
9:27:55 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Group's sole interaction with electric utilities regarding pole
0-20-21 AM	attachments and pole attachment rates?
9:28:21 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Statewide basis, KBCA interaction with KAEC working on pole attachment rates?
9:29:05 AM	Atty Hopgood Kenergy - witness Keller
31231037111	Note: Sacre, Candace Work hand in hand with KAEC on regulation on pole attachments?
9:29:41 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Rephrase, part of group working on pole attachment regulation HB
	320?
9:30:02 AM	Atty Hopgood Kenergy - witness Keller
	Note: Sacre, Candace Legislation about pole replacement fund in upcoming session?
9:30:18 AM	Atty Osterloh KBCA
	Note: Sacre, Candace Object, talking about pole attachments, issue deployment of
	broadband.

9:30:30 AM	Chairman Chandler	
0.00 54 444	Note: Sacre, Candace	Agree make sure pointing in right direction, continue.
9:30:54 AM	Atty Hopgood Kenergy - witness Note: Sacre, Candace	Keller PSC Staff not adequately address CPCN of regulated entity?
9:31:20 AM	Atty Hopgood Kenergy - witness	Keller
	Note: Sacre, Candace	Simply file maps, not need intervene?
9:32:11 AM	Chairman Chandler	
	Note: Sacre, Candace	Questions?
9:32:16 AM	Gen Counsel Vinsel PSC - witness	Keller
	Note: Sacre, Candace	Cross Examination. Standards for intervention, two-prong standard, special interest not otherwise represented or entity has developed issues present facts assist Commission, jurisdiction limited to rates and service of regulated utility, make sure out there for this hearing.
9:33:29 AM	Gen Counsel Vinsel PSC - witness	s Keller
	Note: Sacre, Candace	Clarify one piece, KBCA requesting intervene regarding scope of CPCN request or issue arising from leasing of excess capacity to connect nonjurisdictional utility?
9:34:22 AM	Gen Counsel Vinsel PSC - witness	s Keller
	Note: Sacre, Candace	Request intervene addresses leasing of excess capacity?
9:34:49 AM	Gen Counsel Vinsel PSC - witness	s Keller
	Note: Sacre, Candace	KBCA representing itself in this case or particular member?
9:35:40 AM	Gen Counsel Vinsel PSC - witness	s Keller
	Note: Sacre, Candace	Charter serves 80 percent customers served by KBCA members?
9:35:56 AM	Gen Counsel Vinsel PSC - witness	
	Note: Sacre, Candace	Headquarters in Richmond, KBCA customer of Kenergy, no?
9:36:08 AM	Gen Counsel Vinsel PSC - witness	
	Note: Sacre, Candace	KBCA members customers of Kenergy?
9:36:53 AM	Gen Counsel Vinsel PSC - witness	
0.27.42.444	Note: Sacre, Candace	KBCA board make decision, formal vote to intervene in this case?
9:37:43 AM	Gen Counsel Vinsel PSC - witness	
9:37:57 AM	Note: Sacre, Candace Gen Counsel Vinsel PSC - witness	Said board discussed this last month, in October?
9:37:37 AM	Note: Sacre, Candace	Board meeting after motion to intervene filed?
9:38:22 AM	Gen Counsel Vinsel PSC - witness	
3.30.22 AM	Note: Sacre, Candace	Who made decision for KBCA file motion to intervene?
9:38:40 AM	Gen Counsel Vinsel PSC - witness	
7.30.40 AM	Note: Sacre, Candace	If board not vote, no formal vote, discussion after decision motion to intervene filed, decision made by single or couple people rather than
		by board?
9:40:21 AM	Gen Counsel Vinsel PSC - witness	•
31101217111	Note: Sacre, Candace	Maps KBCA able provide, maps are not currently available?
9:41:10 AM	Gen Counsel Vinsel PSC - witness	
	Note: Sacre, Candace	Commission jurisdiction limited to rates/service, KBCA special
		interests, motion to intervene special interest provider of service assure level playing field, how ensuring level playing field relate to Commission jurisdiction?
9:42:00 AM	Atty Osterloh KBCA	•
	Note: Sacre, Candace	Interject, legal argument, not sure witness best person to answer.
9:42:23 AM	Chairman Chandler	
	Note: Sacre, Candace	Question is not just legal determination, fact determination,
	•	attempting determine factual support for assertion, elaborate?
9:42:56 AM	Atty Osterloh KBCA	
	Note: Sacre, Candace	To extent special interest, facts underlying special interest Keller qualified, (click on link for further comments.)

9:44:30 AM	Chairman Chandler	
	Note: Sacre, Candace	Special interest in rates and service, saying rates and service have
		no bearing on decision Commission makes?
9:44:45 AM	Atty Osterloh KBCA	
	Note: Sacre, Candace	Once rates and service an issue and Commission jurisdiction, does
		party meet one of two criteria, special interest related to deployment of broadband in unserved/underserved areas, HB 320, (click on link
		for further comments).
9:46:06 AM	Chairman Chandler	
	Note: Sacre, Candace	Ms. Vinsel, your position?
9:46:16 AM	Gen Counsel Vinsel PSC	
	Note: Sacre, Candace	My position is Keller offered testimony regarding ensure level playing
		field, Osterloh addressed legal side, understand more what basis is
9:46:35 AM	Chairman Chandler	and how ties to special interest.
9:40:33 AM	Note: Sacre, Candace	Sustain objection.
9:46:43 AM	Gen Counsel Vinsel PSC - witness	
31 101 13 7 11 1	Note: Sacre, Candace	Cross Examination (cont'd). Start explaining again ensuring level
	,	playing field, expand upon that as special interest?
9:48:22 AM	Gen Counsel Vinsel PSC - witness	Keller
	Note: Sacre, Candace	Is it KBCA has concerns Kenergy rate payers subsidizing service
		provided within Kenergy service territory not subject to regulations,
9:49:12 AM	Gen Counsel Vinsel PSC - witness	what you're saying?
3.43.12 AN	Note: Sacre, Candace	Unserved/underserved, FCC maps broadband service not reliable?
9:50:43 AM	Gen Counsel Vinsel PSC - witness	•
	Note: Sacre, Candace	Agree logical inference drawn in census block broadband available
	•	one house also available to other in census block?
9:52:09 AM	Gen Counsel Vinsel PSC - witness	
	Note: Sacre, Candace	Infrastructure available one particular home within census block but
9:52:33 AM	Gen Counsel Vinsel PSC - witness	service not available all entities in block?
9.32.33 AM	Note: Sacre, Candace	In motion, special interest ensuring law complied with, requirement
	Note: Sacre, carradee	provide unserved/underserved?
9:53:04 AM	Gen Counsel Vinsel PSC - witness	•
	Note: Sacre, Candace	KBCA members serve areas overlap Kenergy, basis for claim?
9:54:03 AM	Gen Counsel Vinsel PSC - witness	
0.54.04.444	Note: Sacre, Candace	Maps KBCA provide, evidence provide for overlapping area?
9:54:24 AM	Gen Counsel Vinsel PSC - witness	
	Note: Sacre, Candace	Not just service available but has to meet statutory download/upload numbers, evidence can provide documents areas not
		unserved/underserved because download/upload speeds met?
9:55:29 AM	Gen Counsel Vinsel PSC - witness	·
	Note: Sacre, Candace	Know what my broadband marketing materials say and know what
		download/upload speeds are, not necessarily match, third-party
O.E6.21 AM	Con Council Vincel DCC witness	speed tests also be provided?
9:56:31 AM	Gen Counsel Vinsel PSC - witness Note: Sacre, Candace	Third-party speed test, contract between broadband provider and
	Note: Sacre, Candace	third-party or third-party neutral?
9:57:24 AM	Gen Counsel Vinsel PSC - witness	
	Note: Sacre, Candace	Special interest and issues and facts presented overlap, compliance
		with law, testimony looking at unserved/underserved, next item
0.50.33 444	Con Council Vincal DCC	industry specific specialization, expand on what speaking of?
9:58:23 AM	Gen Counsel Vinsel PSC - witness Note: Sacre, Candace	Industry specific information facts or issues assist Commission?
	Note: Sacre, Caridace	madady specific information racts of issues assist Commission!

9:58:40 AM	Gen Counsel Vinsel PSC - witness	s Keller
	Note: Sacre, Candace	Industry specific information could provide to Commission?
9:59:15 AM	Chairman Chandler	
	Note: Sacre, Candace	Questions?
9:59:19 AM	Vice Chairman Cubbage- witness	
	Note: Sacre, Candace	Examination. KBCA members currently providing broadband in
9:59:36 AM	Vice Chairman Cubbage- witness	Kenergy service area?
9.39.30 AM	Note: Sacre, Candace	Who are they?
9:59:51 AM	Vice Chairman Cubbage- witness	
3.33.31 AM	Note: Sacre, Candace	Discussing wasteful duplication language, special knowledge HB
		320, how granular have to go, house-by-house basis determine
		where broadband offered and speeds in our analysis of HB 320?
10:00:59 AM	Vice Chairman Cubbage- witness	
10.01.00.414	Note: Sacre, Candace	Are we required to look at it on that specific basis?
10:01:23 AM	Vice Chairman Cubbage- witness	
	Note: Sacre, Candace	Maps discussed, what parts of information be submitted as public comment not subject to confidentiality?
10:01:58 AM	Vice Chairman Cubbage- witness	
10.00.45.44	Note: Sacre, Candace	FCC speed data, public, something could obtain from FCC?
10:02:15 AM	Vice Chairman Cubbage- witness	
	Note: Sacre, Candace	Said KBCA special interest making sure law complied with, how your association distinct from that of regular citizen?
10:03:03 AM	Vice Chairman Cubbage- witness	
	Note: Sacre, Candace	Prohibition against subsidy nonregulated activity KRS 278.2201, specific information provide on topic?
10:03:29 AM	Vice Chairman Cubbage- witness	
	Note: Sacre, Candace	Discussion regulated utility not use electric side subsidize broadband, KBCA have information allegations Kenergy proposal unfairly subsidizing?
10:04:42 AM	Chairman Chandler	5
	Note: Sacre, Candace	Questions?
10:04:49 AM	Chairman Chandler - witness Kell	er
	Note: Sacre, Candace	Examination. Earlier discussed reply relation Kenergy waiver request, inappropriate case, provide clarification on what discussing then?
10:05:26 AM	Atty Osterloh KBCA	
	Note: Sacre, Candace	Elaborate, and then you follow up with witness?
10:05:30 AM	Chairman Chandler	
	Note: Sacre, Candace	Identify document referring to?
10:05:41 AM	Atty Osterloh KBCA	2000 0004514
	Note: Sacre, Candace	2020-00215 Kenergy case, association provided public comments in
10:06:43 AM	Chairman Chandler - witness Kell	that case. (Click on link for further comments.)
10.00.75 AM	Note: Sacre, Candace	Help write public comments in that docket?
10:07:12 AM	Chairman Chandler - witness Kell	
1010/112/11	Note: Sacre, Candace	Comments related to proposal, comments primarily around request by KBCA deny waiver application until pole attachment regulations?
10:07:50 AM	Chairman Chandler - witness Kell	· · · · · · · · · · · · · · · · · · ·
	Note: Sacre, Candace	Charter any customers Kenergy territory defined as unserved/underserved?
10:08:34 AM	Chairman Chandler - witness Kell	·
	Note: Sacre, Candace	Know if KBCA members provide retail broadband service not meet definitions of unserved/underserved in Kenergy territory?

10:09:05 AM	Chairman Chandler - witness Keller	
	Note: Sacre, Candace	Aware any KBCA member provide service to unserved/underserved Kenergy territory?
10:09:53 AM	Chairman Chandler - witness Keller	
	Note: Sacre, Candace	Not asking each KBCA member, direct knowledge any KBCA member intend providing broadband service to customers in Kenergy territory currently defined as unserved/underserved?
10:10:31 AM	Chairman Chandler - witness Kell	er
	Note: Sacre, Candace	Discussing challenge process relation to bill set out broadband fund at Kentucky Infrastructure Authority?
10:10:56 AM	Chairman Chandler - witness Kell Note: Sacre, Candace	er In what year bill passed by General Assembly?
10:11:02 AM	Chairman Chandler - witness Kell Note: Sacre, Candace	er Challenge process part of bill passed in 2020?
10:11:41 AM	Chairman Chandler - witness Kell	
	Note: Sacre, Candace	KRS 278.5464 includes identical language for broadband unserved/underserved?
10:12:06 AM	Chairman Chandler - witness Kell	er
	Note: Sacre, Candace	Any idea why legislature not include same challenge process for 278.5464?
10:12:49 AM	Chairman Chandler - witness Kell	
10-12-25 AM	Note: Sacre, Candace	Not opposed any portion or specific portion ends up in .5464?
10:13:25 AM	Chairman Chandler - witness Kell Note: Sacre, Candace	er Aware KBCA members bid on any RDOF areas subject to current
	Note. Sacre, Candace	application, census tracts listed in RDOF overlap Kenergy territory?
10:14:07 AM	Chairman Chandler - witness Kell	er
	Note: Sacre, Candace	No personal knowledge whether KBCA members bid on census tracts subject to underlying application?
10:14:26 AM	Chairman Chandler - witness Kell	er
	Note: Sacre, Candace	Purpose intervention turns on definitions unserved/underserved and definition of broadband and KBCA alleged interest in ensuring KRS 278.5464(3)(a) that says (click on link for further comments), purpose provide evidence whether leasing of excess capacity to affiliate engaged in provision of broadband whether proposed households/businesses unserved/underserved, correct?
10:15:38 AM	Chairman Chandler - witness Kell	
	Note: Sacre, Candace	Current maps providing evidence proprietary/confidential, KBCA position if granted intervention and provide map, request maps continue be confidential/proprietary?
10:16:17 AM	Chairman Chandler - witness Kell	
	Note: Sacre, Candace	Effectively KBCA granted intervention use intervention leverage intervention every other case has proprietary maps not publicly available, special interest in all cases, any anticipation information in maps ever public, have to provide mapping to FCC, KIA, any other public body indicate who unserved/underserved?
10:18:54 AM	Chairman Chandler - witness Kell	er
	Note: Sacre, Candace	KBCA position nobody in Kentucky not KBCA member can determine unserved/underserved without maps?
10:19:51 AM	Chairman Chandler - witness Kell	
	Note: Sacre, Candace	How having maps create interest for company, correlation having maps and having interest in application?
10:20:54 AM	Chairman Chandler - witness Kell	
	Note: Sacre, Candace	Map will help present issues and develop facts assist Commission adjudicating matter?

10:21:23 AM	Chairman Chandler	
	Note: Sacre, Candace	Redirect?
10:21:32 AM	Chairman Chandler	
	Note: Sacre, Candace	Call other witness?
10:21:41 AM	Chairman Chandler	
	Note: Sacre, Candace	Is that KBCA case?
10:21:49 AM	Chairman Chandler	
	Note: Sacre, Candace	Mr. Hopgood, presenting witnesses?
10:22:00 AM	Chairman Chandler	
	Note: Sacre, Candace	Any other issues?
10:22:22 AM	Chairman Chandler	
	Note: Sacre, Candace	Order out shortly, if anything, file motion/petition.
10:22:34 AM	Chairman Chandler	
	Note: Sacre, Candace	Hearing adjourned.
10:22:44 AM	Session Ended	

*Angela M Goad Assistant Attorney General Office of the Attorney General Office of Rate 700 Capitol Avenue Suite 20 Frankfort, KENTUCKY 40601-8204

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